

EXHIBIT A

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3 BEFORE THE HONORABLE ROBERT C. JONES, DISTRICT JUDGE
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4 KEVIN PHILLIPS, an :
individual, :
5 :
Plaintiff, : No. 3:12-CV-344-RCJ-WGC
6 :
-vs- : January 26, 2015
7 :
C.R. BARD, INC., a foreign : Reno, Nevada
8 corporation, et al., :
9 Defendants. :
10 _____ :

11 TRANSCRIPT OF OPENING STATEMENTS
12

13 APPEARANCES:

14 FOR THE PLAINTIFF: RAMON R. LOPEZ and TROY A. BRENES
Attorneys at Law
15 Newport Beach, California

16 JULIA N. REED ZAIC
Attorney at Law
17 Laguna Beach, California

18 PETER C. WETHERALL
Attorney at Law
19 Las Vegas, Nevada

20 FOR THE DEFENDANTS: RICHARD B. NORTH, JR., and
MATTHEW B. LERNER
21 Attorneys at Law
22 Atlanta, Georgia

23 Reported by: Margaret E. Griener, CCR #3, FCRR
Official Reporter
24 400 South Virginia Street
Reno, Nevada 89501

25 (Appearances continued on page 2.)

1 needed this filter and why the complications occurred.

2 And then I want to describe briefly the plaintiff's
3 burden. As I said, they have the burden of proof, and the
4 elements they have to show, and what the evidence says as to
5 each of those elements.

6 And then I want to try to put several accusations
7 you just heard in context, not just the sound bite, and tell
8 you the whole story.

9 Who are the defendants? C.R. Bard is a developer
10 and manufacturer of medical devices in various fields,
11 vascular, urology, oncology, surgical specialty, just to name
12 a few, biopsy products.

13 Bard Peripheral Vascular is located in Tempe, as I
14 said. They developed the filters, they make some stents.
15 They are one of the leading manufacturers in the country of
16 breast cancer biopsy products to help doctors in their
17 diagnoses.

18 But Bard is not a corporate facility. It is not
19 some huge, big building of profit takers as the plaintiff's
20 evidence and sound bites would have you think.

21 Bard is made up of men and women who have studied,
22 who are engineers, marketing specialists.

23 Janet Hudnall, who you will hear from, she was the
24 marketing director for this product for a period of time.
25 Even she, as a marketing person, had a degree in biology from